IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

C.O.C.P. No. 949 of 2007.
Date of Decision: 11th February, 2008...

Roshan Lal & Anr. ....Petitioners
through
Mr. Rajiv Atma Ram, Sr.Advocate
with Mr. Chetan Dayal, Advocate.

Versus

Sarvesh Kaushal & Anr.
...Respondent
through
Mr. M.C.Berry, Sr. DAG, Punjab.
Mr. A.R.Takkar, Advocate,

CORAM:

HONBLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

The petitioners along with some of their colleagues filed CWP No. 7269 of 2004 which was disposed of by a Division Bench of this Court on 5.5.2006 with a direction that since the petitioners' claim to assign them seniority above the private respondents has been accepted in principle, they are entitled to be considered for promotion with effect from the date persons junior to them were promoted.

Alleging non-compliance of the afore-stated order, that this contempt petition has been filed.

In response to the show cause notice, Ashok Kumar Gupta, IAS, Special Secretary to Government of Punjab, Department

of Education, Chandigarh has filed reply/affidavit on behalf of respondent No. 2. Along with the said affidavit, he has appended the order dated 21.11.2006 (Annexure R-II) whereby the petitioners have been promoted as Principals.

It appears that though the petitioners have been promoted from the date when their juniors were promoted, however, their seniority in the promotional cadre is yet to be assigned.

Mr. Berry, learned Sr. DAG, Punjab on instructions from the concerned official, submits that show cause notice to those whose seniority is likely to be affected as a result of revision thereof, have already been issued and the needful shall be done within a period of three months.

Having heard learned counsel for the parties and keeping in view the fact that the directions issued by this Court have been substantially complied with, no further action is called for in these proceedings which are accordingly dropped, however, with a clarificatory direction that the consequential benefits, like seniority and monetary benefits, if any, shall be granted to the petitioners within three months from the date a certified copy of this order is received.

Rule discharged.

Disposed of.

February 11, 2008. ***(SURYA KANT)***
dinesh ***JUDGE***